

United States District Court**STATE AND DISTRICT OF Minnesota**

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT**TODD RICHARD FRANIK**

CASE NUMBER:

MJ 10-307 JJ14

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 2, 2010 in St. Louis county, in the State and District of Minnesota defendant, did unlawfully seize, confine, kidnap, and abduct S.A.S., a minor child, and willfully transported S.A.S. in interstate commerce, in violation of Title 18 United States Code, Section(s) 1201(a)(1) and (g)

I further state that I am a(n) FBI Special Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit hereby incorporated by reference as if fully restated herein.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

AUSA - David Steinkamp
 Sworn to before me and subscribed in my presence,

Ann M. Raymer
 Signature of Complainant
 Ann M. Raymer
 Special Agent
 Federal Bureau of Investigation

Date

8/4/10

at

Edina, Minnesota

City and State

Jeffrey J. Keyes, U.S. Magistrate Judge

Signature of Judicial Officer

Name & Title of Judicial Officer

SCANNED

AUG 05 2010

U.S. DISTRICT COURT ST. PAUL

1 STATE OF MINNESOTA)
2 COUNTY OF RAMSEY)
3 _____)

ss. AFFIDAVIT OF ANN M. RAYMER

4
5 1. Your affiant, Ann M. Raymer, being duly sworn,
6 does depose and state as follows:

7 2. I am a Special Agent (SA) of the Federal Bureau
8 of Investigation (FBI) and have been so employed for the last
9 three and a half years. I am currently assigned to the White
10 Collar Crime Squad of the FBI with the primary responsibility
11 of investigating violations of Federal Law. I make this
12 affidavit based on my knowledge and that of other law
13 enforcement officers involved in this investigation, and in
14 support of a warrant for the arrest of Richard Todd Franik
15 for violation of federal law.

16 3. On August 2, 2010, at approximately 5:40 p.m.
17 Duluth Police Officers responded to a business in Superior
18 Wisconsin on a report of a juvenile female having been
19 kidnaped.

20 4. Upon arrival, Duluth officers spoke to Douglas
21 County, Wisconsin deputies who originally responded to a
22 business in Superior, Wisconsin. The Wisconsin deputies
23 advised that they had learned that a 13 year old girl, S.A.S,
24 had been abducted from the area of Duluth, Minnesota around
25 3:00 p.m. on August 2, 2010.

26 5. Officers learned from S.A.S. that she was
27 walking her small dog, and had only gone a short distance
28 from her home, when she observed what she thought to be a

1 light blue, two door car with its hood up, as if the operator
2 was having car trouble. S.A.S. stated a white male who had
3 been standing near the car approached her and asked her if she
4 could give him directions to the zoo. S.A.S described the man
5 as in his 20's or 30's, short dark hair, facial hair like he
6 hadn't shaved in a couple days, with tattoos up and down both
7 his arms.

8 6. S.A.S. stated the man then grabbed her and put
9 his hand over her mouth. S.A.S. said that the man then
10 physically picked up her dog and her, and put both in the
11 trunk shutting it. S.A.S said she rode in the trunk for
12 about 5 minutes and knew they had driven onto gravel. S.A.S
13 said the man opened the trunk and demanded she give him her
14 cell phone. S.A.S told the man that he did not have a cell
15 phone. The man then searched her and shut the trunk. S.A.S
16 stated she observed a red toolbox and a pink/orange blanket
17 in the trunk. S.A.S. also stated she could smell cigarette
18 smoke as she was being transported in the trunk.

19 7. S. A. S. said they drove for another 15 minutes
20 or so and the car stopped again. S.A.S. said that the man
21 then opened the trunk removed her dog and her from the trunk.
22 S.A.S stated they were in the woods at a clearing area near a
23 trail. S.A.S. stated the man took his clothes off and then
24 took her clothes off. S.A.S. said that the man was touching
25 her breast and vaginal area. S.A.S. stated the man then said
26 "I can't do this," and put his clothes back on and her
27 clothes back on. S.A.S. stated that the man then used duct
28 tape to tie her hands in front of her, duct taped her feet

1 together, and then wrapped the duct tape around a fallen
2 tree. S.A.S. stated the man then put the pink/orange blanket
3 on her. S.A.S. stated he tore a piece off of his shirt
4 stuffed it in her mouth and duct taped her mouth shut. S.A.S.
5 stated that the man also put some of the black cloth and duct
6 tape over her dog's mouth. He told her not to make any noise
7 as he would hear her and he would not be happy. S.A.S. said
8 that the man gave what she thought was lemonade from a bottle
9 through a straw that he put under the duct tape.

10 8. S.A.S. said that the man then left in the car.
11 After he drove off she was able to pull the duct tape off her
12 mouth and chew through the duct tape on her wrists and free
13 herself. S.A.S. said she walked through the woods parallel
14 to Highway 23 and hid anytime she heard a car because she was
15 afraid the man might come back. S.A.S. said at one point she
16 believed she saw the same car come back on Highway 23 and
17 pull off the road.

18 9. S.A.S. made it to a local business in Wisconsin
19 and 911 was called. Officers located duct tape and black
20 cloth on the person of S.A.S. Officers located a section of
21 woods in Carlton County, Minnesota that contained evidence
22 related to the kidnaping near Highway 23, including duct
23 tape, a straw, and some fresh shoe prints in the dirt.

24 10. While searching for evidence along Highway 23,
25 officers observed a light blue Buick four door passenger car
26 drive by them several times. They noted the driver was a
27 white male with stubble and dark hair. The officers recorded
28 the license plate of the vehicle, Minnesota plate, MZC244.

1 11. Officers identified the registered owner of
2 the vehicle bearing Minnesota license plate MZC244. An
3 investigator contacted the owner and inquired about the
4 location of the vehicle. The owner stated she had loaned the
5 car to a family friend and would call the friend to find out
6 where it was. She called the investigator back and told him
7 that she learned it was in a parking lot in Duluth.


8 12. Officers went to the parking lot and placed
9 the vehicle under surveillance. At approximately 1:15 p.m.
10 on August 3, 2010 a male, with short dark hair, stubble on
11 his face, tattoos on both his arms approached the vehicle,
12 went to the trunk, and opened it. Officers approached the
13 vehicle and observed a pin/orange blanket, a red toolbox and
14 duct tape, in plain sight in the trunk of MZC244. The male
15 who had opened the trunk was identified as Todd Richard
16 Franik. Franik stated he lives at 334 N 61st Ave W with his
17 mother and brother. Franik stated he had been the only
18 person driving MN MZC244 for the past 2 or 3 days now. Franik
19 was placed under arrest.

20 13. Officers went to 334 N 61st Ave West where they
21 located Franik's residence. An officer secured the residence
22 in anticipation of a search warrant and observed a pair of
23 tennis shoes in plain sight in the front porch and common
24 area for the Franik's residence and the upstairs residence.
25 The tennis shoes were on the ground with the soles up. The
26 officer observed that the tread pattern on the shoe
27 impressions were similar to those located at abduction scene
28 on Highway 23.

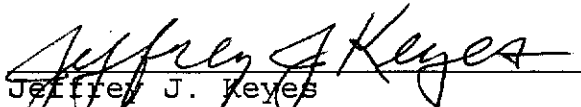
1 14. Based upon conversations with investigators
2 from the Duluth Police Department I have learned that the
3 defendant provided a post-arrest recorded interview after
4 receiving the Miranda warning. The defendant told officers
5 that he abducted S.A.S. near the intersection of West 70th
6 Avenue and Raleigh Street in Duluth, Minnesota. The
7 defendant said that he then headed south on Minnesota Highway
8 23 and crossed the St. Louis River into the state of
9 Wisconsin. The defendant said that he continued on Highway
10 23, which took him back into Minnesota where he located a
11 secluded area and tied S.A.S. to a tree. The defendant told
12 officers that he did not know S.A.S., but chose to abduct her
13 at random. The defendant said that his plan was to hold
14 S.A.S. for ransom. He later decided to abandon his plan and
15 left S.A.S. tied to the tree. The defendant also stated that
16 he lived at 334 N 61st Ave West and had left evidence of the
17 crime in the home, including clothing that he was wearing
18 during the kidnaping.

19 15. Based on the above information, I believe that
20 there is probable cause to conclude that the defendant
21 committed the offense of kidnaping, in violation of Title 18,
22 United States Code, Section 1201.
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Further your affiant sayeth not.


Ann M. Raymer
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this ____ day of August,
2010.


Jeffrey J. Keyes
U.S. Magistrate Judge